

1 DONALD M. FALK (SBN 150256)

dfalk@mayerbrown.com

2 JOHN M. NEUKOM (SBN 275887)

jneukom@mayerbrown.com

3 MAYER BROWN LLP

Two Palo Alto Square, Suite 300

4 3000 El Camino Real

Palo Alto, CA 94306-2112

5 Telephone: (650) 331-2000

Facsimile: (650) 331-2060

6 Attorneys for Plaintiff AT&T Mobility LLC

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**
11

12 AT&T MOBILITY LLC,

13 Plaintiff,

14 v.

15 LESLIE BERNARDI and LAURA BARRETT,

16 Defendants.

Case No. 3:11-cv-03992-CRB

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

1 WHEREAS, on August 12, 2011, Plaintiff AT&T Mobility LLC (“ATTM”) commenced
2 this action by filing the Complaint (Dkt. No. 1);

3 WHEREAS, on September 6, 2011, the Court entered an order scheduling a case
4 management conference on December 2, 2011 and directing the parties to submit a joint case
5 management statement at least seven days beforehand (Dkt. No. 8);

6 WHEREAS, on September 8, 2011, the Court related this action to *Schroeder v. AT&T*
7 *Mobility LLC*, No. 3:11-cv-04412-CRB (N.D. Cal.) (Dkt. No. 15);

8 WHEREAS, on September 13, 2011, the Court entered an order in *Schroeder* scheduling
9 a case management conference for the same time on December 2, 2011 as the conference in
10 *Bernardi* (*Schroeder*, Dkt. No. 10);

11 WHEREAS, on October 26, 2011, the Court granted ATTM’s motion for a preliminary
12 injunction and denied the *Bernardi* defendants’ motion to compel arbitration and the *Schroeder*
13 plaintiffs’ motion for a preliminary injunction and petition to compel arbitration (*Bernardi*, Dkt.
14 No. 86; *Schroeder*, Dkt. No. 29);

15 WHEREAS, on November 9, 2011, the *Bernardi* defendants filed their Answer, which
16 asserted two counterclaims against ATTM (*Bernardi*, Dkt. No. 87);

17 WHEREAS, ATTM’s response to the counterclaims is due on December 5, 2011, and
18 ATTM intends to notice any motion responding to those counterclaims for a hearing on January
19 13, 2012;

20 WHEREAS, the parties stipulate that it would be more efficient to combine the case
21 management conferences in *Bernardi* and *Schroeder* with the hearing on any motion responding
22 to the counterclaims in *Bernardi*;

23 **THEREFORE, IT IS HEREBY STIPULATED** between ATTM and the defendants in
24 *Bernardi* and the plaintiffs in *Schroeder* that, with the Court’s permission, the case management
25 conferences in *Bernardi* and *Schroeder* shall be continued until January 13, 2012 and combined
26 with the hearing on any motion responding to the counterclaims in *Bernardi*.

IT IS SO STIPULATED.

November 23, 2011

BURSOR & FISHER P.A.

MAYER BROWN LLP

By: /s/ Scott A. Bursor
Scott A. Bursor (SBN 276006)

By: /s/ Kevin Ranlett
Kevin Ranlett (*pro hac vice*)

369 Lexington Avenue, 10th Floor
New York, NY 10017
Telephone: (212) 989-9113
Facsimile: (212) 989-9163
Email: scott@bursor.com
jmarchese@bursor.com

Donald M. Falk (SBN 150256)
John M. Neukom (SBN 275887)
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, California 94306-2112
Telephone: (650) 331-2000
Facsimile: (650) 331-2060
Email: dfalk@mayerbrown.com
jneukom@mayerbrown.com

L. Timothy Fisher
Sarah N. Westcot
BURSOR & FISHER, P.A.
2121 North California Blvd., Suite 1010
Walnut Creek, CA 94596
Telephone: (925) 482-1515
Facsimile: (925) 407-2700
E-Mail: ltfisher@bursor.com
swestcot@bursor.com

Andrew J. Pincus (*pro hac vice*)
Evan M. Tager (*pro hac vice*)
Archis A. Parasharami (*pro hac vice*)
Kevin Ranlett (*pro hac vice*)
MAYER BROWN LLP
1999 K Street NW Washington, DC 20006
Telephone: (202) 263-3000
Facsimile: (202) 263-3300
Email: apincus@mayerbrown.com
etager@mayerbrown.com
aparasharami@mayerbrown.com
kranlett@mayerbrown.com

*Attorneys for Defendants Leslie Bernardi and
Laura Barrett in No. 3:11-cv-03992-CRB and
for Plaintiffs Deborah Schroeder and Astrid
Mendoza in No. 3:11-cv-04412-CRB*

*Attorneys for Plaintiff AT&T Mobility LLC in
No. 3:11-cv-03992-CRB and Defendant AT&T
Mobility LLC in No. 3:11-cv-04412-CRB*

*Filer's Attestation: Pursuant to General Order No. 45, Section X(B), Kevin Ranlett
hereby attests that the signatories' concurrence in the filing of this document has been obtained.*

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 28, 2011

